



1641
IFC

PATENT
Customer Number 22,852
Attorney Docket No. 05552.0265-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Heinz-Jürgen FRIESEN et al.)
Serial No.: 09/820,974) Group Art Unit: 1641
Filed: March 30, 2001) Examiner: Christopher L. Chin
Allowed: September 21, 2004) Confirmation No.: 5252
For: SHEET-LIKE DIAGNOSTIC DEVICE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**LETTER REQUESTING ACKNOWLEDGMENT
OF INFORMATION DISCLOSURE STATEMENT
FILED UNDER 37 C.F.R. § 1.97**

An Information Disclosure Statement was filed in this application on January 8, 2003. In reviewing our files, we find that we have not received from your Office a copy of the Form PTO-1449 which would serve as acknowledgment of receipt of the Information Disclosure Statement and as an indication that the references were considered by the examiner.

A copy of the Information Disclosure Statement, the Information Disclosure Citation on Form PTO-1449, and of the post card that was filed with the Information Disclosure Statement and was stamped by the U.S. Patent and Trademark Office to indicate receipt of the papers, is attached.

The examiner is respectfully requested either to send us a duplicate of the copy of the Form PTO-1449 or issue a Supplemental Notice of Allowability (PTOL-37) which both acknowledges receipt of the Information Disclosure Statement and the Information Disclosure Citation, and indicates that the references were considered by the Examiner.

Respectfully submitted,

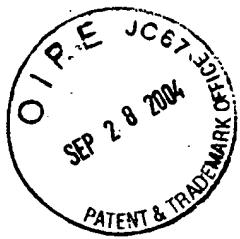
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 28, 2004

By:



Carol P. Einaudi
Reg. No. 32,220



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5552.0265-04

CPE/MR23/MR23

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Heinz-Jürgen FRIESEN et al.

Serial No.: 09/820,974

RECEIVED
JAN 8 2003
CPE

09 Group Amt Unit 16210

Filed: March 30, 2001

Examiner: Christopher L. CHIN

For: SHEET-LIKE DIAGNOSTIC DEVICE

-
1. Information Disclosure Statement Under 37 C.F.R. § 1.97(c) (2 pages);
 2. Form PTO 1449 (3 pages); and
 3. Check No. 049541 \$180.00 for IDS fee.

Dated: January 8, 2003

VIA HAND DELIVERY

Docket No.: 05552.0265-04000

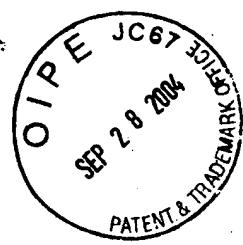
(Due Date: None)

MPB/MRA/nyf

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Original Sent to
Regional Office PAO/MPB
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09/1-903 3



PATENT
Customer No. 22,852
Attorney Docket No. 5552.0265-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Heinz-Jürgen FRIESEN et al.) Group Art Unit: 1641
Application No.: 09/820,974) Examiner: Christopher L. CHIN
Filed: March 30, 2001)
For: SHEET-LIKE DIAGNOSTIC)
DEVICE)

Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents were previously submitted or were cited by the Examiner in U.S. Application Serial No. 08/544,579, filed October 18, 1995, now U.S. RE37437 E; Interference No. 103,072; or U.S. Application Serial No. 06/808,563, filed December 13, 1985, now U.S. Patent No. 4,861,711. Applicants rely upon those two applications for the benefits provided under 35 U.S.C. § 120. Applicants respectfully

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request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 7, 2003

By: 

Robert W. Mann
Reg. No. 48,555

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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	05552.0265-04000	P E SCE	Appln. No.	09/820,974
Applicant	Heinz-Jürgen FRIESSEN et al.			
Filing Date	March 30, 2001	SEP 28 2004	Group:	1641

U.S. PATENT DOCUMENTS							
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate	
	3,620,677	11/16/1971	Morison				
	3,847,553	11/12/1974	Verbeck				
	4,094,647	06/13/1978	Deutsch et al.				
	4,258,001	03/24/1981	Pierce et al.				
	4,361,537	11/30/1982	Deutsch et al.				
	4,366,241	12/28/1982	Tom et al.				
	4,446,232	05/01/1984	Liotta				
	4,447,526	05/08/1984	Rupchock et al.				
	4,459,358	07/10/1984	Berke				
	4,472,498	09/18/1984	Masuda et al.				
	4,496,654	01/29/1985	Katz et al.				
	4,496,658	01/29/1985	Kondo				
	4,517,288	05/14/1985	Giegel				
	4,594,327	06/10/1986	Zuk				
	4,631,174	12/23/1986	Kondo				
	4,690,907	09/01/1987	Hibino et al.				
	4,740,468	04/26/1988	Weng				
	4,756,828	07/12/1988	Litman et al.				
	4,757,004	07/12/1988	Houts et al.				
	4,861,711	08/29/1989	Friesen et al.				
	5,073,484	12/17/1991	Swanson et al.				
	5,120,643	06/09/1992	Ching et al.				

FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	CA 1185882	4/23/1985	CA			

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	05552.0265-04000	Appn. No.	09/820,974
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Filing Date	March 30, 2001 SEP 28 2004	Group:	1641

FOREIGN PATENT DOCUMENTS						
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	DE 23 32 760	03/04/1982	DE			No, counterpart to GB 1 440 464
	DE 30 43 608	06/24/1982	DE			No, counterpart to CA 1185882
	DE 33 29 628	03/22/1984	DE			No, counterpart to GB 2126224
	DE 33 29 728	02/23/1984	DE			
	EP 0 046 004	02/17/1982	EP			
	EP 0 052 328	05/26/1982	EP			
	EP 0 088 636 A2	09/14/1983	EP			
	EP 0 097 952 A2	01/11/1984	EP			
	EP 0 100 619	02/15/1984	EP			
	EP 0 186 799	07/09/1986	EP			No, counterpart to U.S. 4,861,711
	FR 2 191 734	01/02/1974	FR			No, counterpart to GB 1 440 464
	GB 1 440 464	06/23/1976	GB			
	GB 2126224	03/21/1984	GB			
	JP 48-5925	01/25/1973	JP			
	JP 53-47894	04/28/1978	JP			No, counterpart to U.S. 4,094,647
	JP 55-90859	07/09/1980	JP			No, counterpart to U.S. 4,258,001
	JP 57-113363	07/14/1982	JP			No, counterpart to CA 1185882
	JP 58-76763	05/09/1983	JP			No, counterpart to U.S. 4,446,232
	JP 58-179357	10/20/1983	JP			No, counterpart to U.S. 5,073,484
	JP 61-145459	07/03/1986	JP			No, counterpart to U.S. 4,861,711

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SEP 28 2004

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Hawkes et al., "A Dot-Immunobinding Assay for Monoclonal and Other Antibodies", <i>Analytical Biochemistry</i> , 119(1):142-147 (1982).
	Hashimoto, Thin Layer Chromatography, pp. 1-4 (Hirokawa Shoten 1962, Tokyo) (with English translation).
	Maruzen, <i>Experimental Chemistry Course 2 Fundamental Techniques II</i> , pp. 215-216 (Japan Chemistry Society ed. 1956, Tokyo) (with English translation).
	Maruzen, <i>Experimental Chemistry Guidebook</i> , pp. 218-219 (Japan Chemistry Society ed. 1984, Tokyo) (with English translation).
	Nakamura, "General Principles of Immunoassays," <i>Immunochemical Assays and Biosensor Technology for the 1990's</i> , pp. 3-7 (Robert Nakamura ed., American Society for Microbiology 1992, Washington, D.C.).
	Nanzandō, <i>Thin Layer Chromatography</i> , pp. 40-41 (Masayuki Ishikawa et al. ed. 1963, Tokyo) (with English translation).
	Suzuki, "Tests in Thin Layer Chromatography," <i>Hirokawa Chemical Series No. 3</i> , pp. 18-20, (Hirokawa Shoten 1964, Tokyo) (with English translation).
	Towbin et al., "Electrophoretic Transfer of Proteins from Polyacrylamide Gels to Nitrocellulose Sheets: Procedure and Some Applications," <i>Proc. Natl. Acad. Sci.</i> , 76(9):4350-4354 (1979).
	van Raamsdonk et al., "Detection of Antigens and Antibodies by an Immuno-Peroxidase Method Applied on Thin Longitudinal Sections of SDS-Polyacrylamide Gels," <i>J. Immunological Methods</i> , 17:337-348 (1977).
	Zuk et al., "Enzyme Immunochromatography - A Quantitative Immunoassay Requiring No Instrumentation," <i>Clin. Chem.</i> , 31(7):1144-1150 (1985).

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce